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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

SHONETTA CRAIN AND KIRA SERNA,  
individually and on behalf of all other  
similar situated individuals,

Plaintiffs,

v.

ACCREDITED SURETY AND  
CASUALTY COMPANY, *et al.*,

Defendants.

Case No. 3:19-CV-01265-JST

**STIPULATED [PROPOSED] PRETRIAL  
CONSOLIDATION ORDER**

STEVEN BREAUX, individually and on  
behalf of all other similar situated  
individuals,

Plaintiff,

v.

ACCREDITED SURETY AND  
CASUALTY COMPANY, *et al.*,

Defendants.

Case No. 3:19-CV-00717-JST

1  
2 WHEREAS, on January 29, 2019, Plaintiffs Shonetta Crain and Kira Serna filed a  
3 complaint in Alameda County Superior Court, *Crain et al. v. Accredited Surety and Casualty*  
4 *Company, et al.* (“*Crain Action*”);

5 WHEREAS, on February 8, 2019, Plaintiff Steven Breaux filed a complaint in the  
6 Northern District of California, *Breaux v. Accredited Surety and Casualty Company, et al.*  
7 (“*Breaux Action*”);

8 WHEREAS, on March 8, 2019, Defendants Two Jinn, Inc. and Seaview Insurance  
9 Company filed a notice of removal of the *Crain Action* to the Northern District of California;

10 WHEREAS, on March 19, 2019, the Court related the *Crain Action* and the *Breaux*  
11 *Action* (collectively, the “*Related Actions*”);

12 WHEREAS, the Case Management Conferences for the *Crain* and *Breaux* Actions are  
13 currently both set for May 22, 2019, and the Joint Case Management Conference Statements are  
14 both currently due May 13, 2019;

15 WHEREAS, the Related Actions are proposed class actions against Defendants  
16 Accredited Surety and Casualty Company, Aegis Security Insurance Company, All-Pro Bail  
17 Bonds Inc., American Bail Coalition, Inc., Alleghany Casualty Company, American Contractors  
18 Indemnity Company, American Surety Company, Associated Bond and Insurance Agency, Inc.,  
19 Bankers Agency, Inc., Bankers Insurance Company, Bond Safeguard Insurance Company,  
20 California Bail Agents Association, Continental Heritage Insurance Company, Crum & Forster  
21 Indemnity Company, Danielson National Insurance Company, Financial Casualty & Surety, Inc.,  
22 Golden State Bail Agents Association, Harco National Insurance Company, Indiana Lumbermens  
23 Mutual Insurance Company, International Fidelity Insurance Company, Lexington National  
24 Insurance Corporation, Lexon Insurance Company, National American Insurance Company,  
25 North River Insurance Company, Philadelphia Reinsurance Corporation, Safety First Insurance  
26 Company, Seaview Insurance Company, Seneca Insurance Company, Stillwater Property and  
27 Casualty Insurance Company, Sun Surety Insurance Company, Two Jinn, Inc., United States Fire  
28 Insurance Company, Universal Fire & Casualty Insurance Company, Williamsburg National

1 Insurance Company, Jerry Watson and William B. Carmichael, and DOES 1-100 pursuant to  
2 California's antitrust statute, Business and Professions Code sections 16720, *et seq.* (the  
3 "Cartwright Act"); and California's unfair competition law, Business and Professions Code  
4 sections 17200, *et seq.* (the "Unfair Competition Law");

5 WHEREAS, the parties in the Related Actions have met and conferred and agree that the  
6 above-entitled actions should be consolidated pursuant to Federal Rule of Civil Procedure 42(a);

7 WHEREAS, consolidation of the Complaints and other like actions will avoid duplication  
8 and unnecessary costs, and will promote the efficient conduct of the proceedings;

9 WHEREAS, the parties in the Related Actions have met and conferred and agree to a  
10 schedule for filing a consolidated amended complaint following the appointment of interim class  
11 counsel;

12 WHEREAS, the parties in the Related Actions have met and conferred and agree that no  
13 answers, motions, or other responses to the complaints need be filed in the Related Actions until  
14 after the appointment of interim class counsel and the filing of a consolidated amended  
15 complaint;

16 WHEREAS, the agreed-upon schedule is not for the purpose of delay, promotes judicial  
17 efficiency and economy, and will not cause prejudice to any party;

18 NOW, THEREFORE, IT IS STIPULATED AND AGREED by Plaintiffs and Defendants  
19 in the Related Actions, by and through their undersigned respective counsel of record, as follows:

20 **I. CONSOLIDATION**

21 The Related Actions are consolidated for all purposes, including pre-trial proceedings and  
22 trial, pursuant to Federal Rule of Civil Procedure 42(a) (the "Consolidated Action").

23 **II. MASTER DOCKET AND MASTER FILE**

24 A Master Docket and a Master File shall be created under the civil action number that has  
25 been assigned to the first-filed federal court case, No. 19-CV-00717-JST, with the caption "*In re*  
26 *California Bail Bond Antitrust Litigation*". All docket entries regarding the Consolidated Action  
27 shall be docketed under the Master File number No. 19-CV-00717-JST. If a document pertains to  
28 only one or some of the consolidated cases, it will be docketed on the Master Docket with the

notation in the docket text as to the case number(s) to which it pertains.

**III. APPLICATION OF THIS ORDER TO SUBSEQUENTLY FILED OR TRANSFERRED CASES**

When a case which relates to the subject matter of the Consolidated Action is hereafter filed in this Court or transferred here from another court, including through removal from state court, and only after counsel call to the attention of the Court and the Clerk the filing or transfer of any such case that might be properly consolidated with this Consolidated Action, the Clerk of Court shall make an appropriate entry in the Master Docket. Plaintiffs in the Consolidated Action shall promptly mail a copy of this Order to counsel for plaintiff(s) in each subsequently filed or transferred related action and to counsel for any defendant(s) in each such action not already a party to the Consolidated Action. Promptly thereafter, upon notice to counsel for the parties in each such action, Plaintiffs in the Consolidated Action shall submit to the Court a proposed order consolidating any such action with the Consolidated Action. Unless a party in such newly-filed or transferred action objects to consolidation within ten (10) days after the date upon which a copy of this Order is served on counsel for such party, by filing an application for relief and this Court deems it appropriate to grant such application, each new case that arises out of the subject matter of the Consolidated Action which is filed in this Court or transferred to this Court, shall be consolidated with the Consolidated Action and this Order shall apply thereto.

**IV. CAPTION OF CASES**

All papers hereafter filed in the Consolidated Action shall bear the following caption:

IN RE CALIFORNIA BAIL BOND ANTITRUST LITIGATION
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Master Docket No. 19-CV-00717-JST
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THIS DOCUMENT RELATES TO:
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When a pleading or other court paper is intended to apply to all actions to which this Order is applicable, the words "All Actions" shall appear immediately after the words "THIS DOCUMENT RELATES TO" in the caption set out above. When a pleading or other court paper

1 is intended to be applicable only to a subset of the Actions, the separate caption and docket  
2 number for each individual action to which the pleading is intended to be applicable shall appear  
3 immediately after or below the words “THIS DOCUMENT RELATES TO” in the caption  
4 described above. The short form of the case caption ([named plaintiff] v. [first named defendant],  
5 *et al.*) for such actions may be used.

6 **V. FILING AND DOCKETING**

7 All papers previously filed and served to date in any of the above-referenced actions are  
8 hereby deemed part of the record in 19-CV-00717-JST.

9 When a paper is filed and the caption shows that it is to be applicable to “All Actions,”  
10 such paper shall be filed in the Master File and the Clerk shall note such filing in the Master  
11 Docket. Such papers need not be filed, and docket entries need not be made, in any other case  
12 file.

13 When a paper is filed and the caption shows that it is to be applicable to fewer than all of  
14 the Consolidated Actions, such paper shall be filed in the Master File, and the clerk shall note  
15 such filing in both the Master Docket and the docket of each such action. Thus, the paper should  
16 only be filed in the Master File in 19-CV-00717-JST.

17 **VI. ECF AND SERVICE OF DOCUMENTS**

18 This case is subject to Electronic Case Filing (“ECF”), pursuant to General Order 45,  
19 Section VI, which requires that all documents in such a case be filed electronically. If counsel  
20 has not already done so, counsel shall register forthwith as an ECF user and be issued an ECF  
21 user ID and password. Forms and instructions can be found on the Court’s website at  
22 [ecf.cand.uscourts.gov](http://ecf.cand.uscourts.gov).

23 All documents shall be e-filed in the Master File in 19-CV-00717-JST. Papers that are  
24 filed electronically through the Court’s ECF system are deemed served on all parties as of the  
25 date of filing. All other service of papers shall be governed by the Rules of Civil Procedure,  
26 unless otherwise agreed by the parties.

27 **VII. PRESERVATION OF EVIDENCE**

28 Until the parties agree on a preservation plan or the Court orders otherwise, each party

1 shall take reasonable steps to preserve all documents, data, and tangible things containing  
2 information potentially relevant to the subject matter of this litigation.

3 **VIII. SCHEDULE FOR RULE 23(G) MOTION, CONSOLIDATED AMENDED**  
4 **COMPLAINT, AND RESPONSIVE PLEADINGS**

5 **A. Rule 23(g) Motion**

6 After entry of this Order, Plaintiffs will file a Motion for Appointment of Interim Class  
7 Counsel pursuant to Federal Rule of Civil Procedure 23(g). The hearing and briefing schedule for  
8 that Rule 23(g) Motion shall be set by Local Rule.

9 **B. Consolidated Amended Complaint**

10 Within seven (7) days of the Court's Order appointing Interim Class Counsel, Interim  
11 Class Counsel shall file the Consolidated Amended Complaint. The Consolidated Amended  
12 Complaint shall be deemed Plaintiffs' initial filing for purposes of Federal Rule of Civil  
13 Procedure 15(a). The Consolidated Amended Complaint shall relate back to the date of the first  
14 filed action in California state court, *Crain et al. v. Accredited Surety and Casualty Company, et*  
15 *al.* (filed January 29, 2019), for all purposes. Defendants shall have no obligation to answer,  
16 move, or otherwise plead in response to the previously-filed Complaints.

17 **C. Responsive Pleadings/Motion to Dismiss**

18 Defendants shall answer, move, or otherwise plead in response to the Consolidated  
19 Amended Complaint within thirty (30) days of the filing of the Consolidated Amended  
20 Complaint. The thirty (30) day deadline will apply to all state law response deadlines, including a  
21 motion to strike brought pursuant to California's anti-SLAPP statutes.

22 The parties will meet and confer with respect to the responsive briefing schedule and  
23 submit a stipulation and proposed order to the Court governing that briefing.

1 Dated: April 4, 2019

Respectfully submitted,

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**Filer's Attestation**

Pursuant to General Order No. 45, § X(B), I attest under penalty of perjury that concurrence in the filing of the document has been obtained from all the signatories.

Dated: April 4, 2019

\_\_\_\_\_  
/s/ Dean M. Harvey  
DEAN M. HARVEY  
LIEFF CABRASER HEIMANN  
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**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
HON. JON S. TIGAR  
UNITED STATES DISTRICT JUDGE